

## DUTY STATEMENT

Class Title <b>Attorney III</b>	Position Number <b>580-140-5795-909</b>
COI Classification <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Unit <b>Administrative Litigation</b>	
Section	
Branch <b>Office of Legal Services</b>	
Division	

This position requires the incumbent maintain consistent and regular attendance; communicate effectively (orally and in writing if both appropriate) in dealing with the public and/or other employees; develop and maintain knowledge and skill related to specific tasks, methodologies, materials, tools, and equipment; complete assignments in a timely and efficient manner; and, adhere to departmental policies and procedures regarding attendance, leave, and conduct. The position requires the incumbent to travel statewide to engage in witness preparation and hearings.

**Job Summary:** Under the general direction of an Assistant Chief Counsel, the incumbent is responsible for difficult, complex and sensitive legal issues for the Department. The Attorney III is assigned those cases involving critical fiscal, policy and political impact on the Department. He or she must be capable of working independently and reliably on the issues of highest importance to the Department and to directly advise the Director and Executive Staff members.

The incumbent may also be called upon to review written materials or provide training for other attorneys on his or her team in the absence of the Assistant Chief Counsel.

**Supervision Received:** General direction of an Assistant Chief Counsel.

**Supervision Exercised:** None

**Description of Duties:** Under the general direction of an Assistant Chief Counsel, performs the following duties:

Percent of Time	Essential Functions
30%	Represents the Department in complex administrative hearings involving appeals of personnel actions, appeals of actions to revoke or deny licensure of health facilities and clinics, appeals of hospital administrative penalty, appeals of long term care facility citations, appeals of vendor sanctions of the Women, Infants and Children program, appeals of enforcement actions of the radiologic health program, appeals from penalty assessments for privacy breaches and failure to timely report adverse events in health facilities and clinics, and other administrative licensing or enforcement actions of the Department.
25%	Consults with Department staff on pending cases in order to develop litigation strategy, prepare witnesses and review evidence.
25%	Prepares written documents related to pending cases, including requests for discovery, responses to discovery requests, position papers and correspondence.

15%

Negotiates and prepares settlements of pending cases.

Percent of Time

5%

Marginal Functions

Makes presentations to program staff on the administrative litigation process, presenting of evidence and other important issues related to the administrative litigation process.

Employee's signature	Date
Supervisor's signature	Date